

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33344 of 2016

Arising Out of PS.Case No. -31 Year- 2015 Thana -TEKARI District- GAYA

Rakesh Kumar S/o Nand Kishor Singh, resident of Village: Salal Pur P.S:- Ghoshi, Dist:- Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Seema Kumari, W/O Rakesh Kumar, Resident of Village- Salal Pur, P.S.- Ghosh, District- Jehanabad at present D/o Sachchidanand Singh, resident of Village- Amarpur, P.S.- Tekari, District- Gaya.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Advocate.
For the Opposite Party/s : Mr. Sri Indra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 26-09-2016 Petitioner being husband of the informant is apprehending his arrest in a case registered for the offences punishable under Sections 498(A),341,323,333,504/34 of the I.P.C and 3/4 of the Dowry Prohibition Act.

Accusation is of torture for non-fulfillment of dowry demand.

It is submitted by learned counsel for the petitioner that petitioner admits his marriage with the informant and is ready to keep the informant as wife with full dignity and honour. A statement to that effect has been made in Para 11 of the petition which reads as follows:-

“11. That, the petitioner is always ready to keep the

informant as his wife with full love and dignity at her matrimonial house.”

It is further submitted that the petitioner has filed Matrimonial Suit No. 10 of 2015 for restitution of conjugal rights.

Considering the present stand of the petitioner, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released **on provisional anticipatory bail for six months** on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Tekari P.S. Case No. 31 of 2015 subject to the conditions as laid down under Section 438(2) of the Cr.P.C

The provisional anticipatory bail of the petitioner will be confirmed by the learned Court below in three eventualities (i) On substantial restoration of the matrimonial harmony within a period of six months (ii) If the informant fails to appear before learned Court below (iii) If the informant is reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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